

5.0 OTHER REQUIRED CEQA SECTIONS

5.1 Introduction to Additional CEQA Requirements Discussed in this Section

The California Environmental Quality Act (CEQA) requires evaluations of potentially significant environmental impacts, irreversible or irretrievable commitment of resources, and project related growth-inducing impacts. The following sections evaluate the proposed Project in light of these requirements.

5.2 Significant Environmental Effects of the Proposed Project that Cannot be Mitigated to Less Than Significant

Section 15126.2(b) of the State CEQA Guidelines requires that an Environmental Impact Report (EIR) describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. Effects on environmental resources were evaluated to determine any significant unavoidable impacts. Approval of the Project would be subject to a Statement of Overriding Considerations under the CEQA due to the significant unavoidable impacts that would remain after mitigation is applied.

Almost all the significant unavoidable impacts that cannot be mitigated (Class I) are the result of an accidental release of crude oil. The proposed Project would allow continued barging of crude oil from the Ellwood Marine Terminal (EMT) up to the permitted limits. The Project would increase loading operations, including the hours per year that the loading pumps are operating, and that the barge Jovalan is operating offshore. This increase in loading operations would increase the frequency of spills to the environment over the current operations. As discussed in detail in Section 4.0, Environmental Analysis, an accidental release of crude oil would result in significant impacts to marine and onshore water quality; marine and onshore biological resources, including commercial and recreational fishing; land use and recreation; and visual resources. A number of mitigation measures were identified that would reduce the frequency and consequences of spills; however, the risk of spills to the environment would still increase over current operations and could not be completely reduced to below a level of significance.

In addition, implementation of the Project would mean that the number of trips the barge Jovalan makes to the EMT would increase from approximately two per month to a little more than seven per month (no more than 88 times per year). The barge is currently visible from the beach and bluffs approximately every 15 days. Under the proposed

Project, the barge would be visible approximately every four days. The greatly increased presence of the barge in a highly sensitive viewshed would be considered a significant impact.

5.3 Significant Environmental Effects of the Proposed Project that would be Irreversible if the Proposed Project is Implemented

Section 15126.2(c) of the State CEQA Guidelines states that significant irreversible environmental changes that would be involved with a proposed project may include the following:

- Uses of non-renewable resources during the initial and continued phases of the project, which would be irreversible because a large commitment of such resources makes removal or non-use thereafter unlikely;
- Primary impacts and, particularly, secondary impacts which commit future generations to similar uses; and
- Irreversible damage, which may result from environmental accidents associated with the project.

The purpose of the proposed Project is to transport crude oil that is produced from the South Ellwood Field. Thus, the Project, by definition, involves development of and production from non-renewable resources. Implementation of the proposed Project would also involve the consumption of some non-renewable and locally limited natural resources, i.e., fossil fuels associated with crude oil transport. However, the main goal of the proposed Project is to accommodate the development of non-renewable oil resources through existing infrastructure. Therefore, the demand of the proposed Project for non-renewable resources is not considered significant.

The proposed Project is the renewal of State Lease PRC 3904.1 for 10 years to allow continuation of existing oil transportation activities using existing infrastructure. No new facilities or modifications to existing facilities are proposed. As such, no new impacts associated with the Project commit future generations to similar uses; the facilities and uses already exist.

The proposed Project could result in oil spills that have the potential to create irreversible impacts to environmental resources. Potential impacts can be reduced through use of adequate design and operating procedures and effective emergency

response plans specifying staffing and equipment needs. However, the potential remains for significant impacts as a result of an oil spill associated with the proposed Project.

5.4 Growth-Inducing Impacts of the Proposed Project

Section 15126.2(d) of the State CEQA Guidelines states that growth-inducing impacts of the proposed Project must be discussed in the EIR. In general terms, a project may induce spatial, economic, or population growth in a geographic area if it meets any one of the four criteria identified below:

- Removal of an impediment to growth, e.g., establishment of an essential public service or the provisions of new access to an area;
- Economic expansion or growth, e.g., changes in revenue base or employment expansion;
- Establishment of a precedent-setting action, e.g., an innovation, a change in zoning, or general plan amendment approval; or
- Development or encroachment in an isolated area or one adjacent to open space (being different from an “infill” type of project).

Should a project meet any one of the criteria listed above, it can be considered growth inducing. The impacts of the proposed Project are evaluated below with regard to these four growth-inducing criteria.

The proposed Project involves renewal of a State lease (Lease PRC 3904.1). There would be no construction of new facilities or modifications to existing facilities. The Project would increase the volume of oil being transported from the project facilities from what is occurring under current baseline conditions, however, the increased volumes would not exceed the volumes permitted for the existing facilities.

The proposed Project would not remove an impediment to growth or result in the establishment of an essential public service, and it would not provide new access to an area previously inaccessible.

The Project would not result in increased employment in the area. No increase in personnel is proposed as part of the Project. The operational activities would result in an increase in the revenue base for the State of California and the County of Santa

- 1 Barbara via oil and gas royalties sharing. However, economic growth associated with
2 the Project is not considered to be significant.
- 3 The Project would not establish a precedent-setting action such as a change in zoning
4 or an innovation. Nor would the Project develop or encroach in an isolated area or one
5 adjacent to open space. The EMT was constructed in 1929 and is a legal non-
6 conforming use. Development of open space is considered growth inducing when it
7 encroaches upon urban-rural interfaces or in isolated localities. All surface project
8 activities would be limited to the existing developed facilities.
- 9 Accordingly, the Project is not considered to be growth inducing.